

## **REMARKS**

### **INTRODUCTION**

In accordance with the foregoing, claims 1, 4, and 9 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 2, 4, 5, and 9-14 are pending and under consideration. Reconsideration is respectfully requested.

### **REJECTION UNDER 35 U.S.C. §103**

In the Office Action at pages 2-7, claims 1, 2, 4, 5, 9, 11, 13, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,486,686 to Zdybel, Jr. et al. in view of R. Adams "BarCode1 web site" (hereinafter "BarCode1"). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

The present invention is directed to article allocation for an information medium, such as a newspaper, for which a space available to allocate information to insert is limited. More specifically, amended independent claim 1 is directed to "[A] method of producing printed matter containing a direct-reading material and an additional material related to the direct-reading material by an information processing apparatus, the direct-reading material comprising text and pictures, and the additional material comprising text, sound, and images related to the direct-reading material." In relevant part, amended independent claim 1 recites "performing an allocating operation for the direct-reading material and the additional material in accordance with a type space corresponding to the secondary data" and "in the allocating operation, a specific way of allocating the additional material with respect to the relevant direct-reading material is selected. . . ." The specific ways of allocating the additional material are selected from "allocating at an immediate position of the relevant direct-reading material, allocating at a special space, allocating at a directly designated vacant position, or allocating at a directly designated overlapping position." Support for the amendments to claim 1 can be found in the originally filed specification, at least in Figs. 11A-11D and Fig. 15 and from page 17, line 18 to page 18, line 10. Independent claims 4 and 9 have also been amended to recite similar features to those of amended independent claim 1.

By applying a configuration as in the amended independent claims, a wide variety of ways of allocating the additional material with respect to the direct-reading material can be

provided. In circumstances such as production of a newspaper, where the amount of space available to insert information is limited, an editor may allocate the additional material at an immediate position of the relevant direct-reading material, at a special space, at a directly designated vacant position, or at a directly designated overlapping position. Thus, regardless of whether space remaining for additional material is sufficient, the additional material can be inserted, making it easier for an editor to place the additional information. Accordingly, article allocation can be effectively realized on the information medium.

Applicant respectfully submits that neither Zdybel nor BarCode1 teaches or suggests providing specific ways of allocating information, including "allocating at an immediate position of the relevant direct-reading material, allocating at a special space, allocating at a directly designated vacant position, or allocating at a directly designated overlapping position" in an allocating operation, as recited in amended independent claim 1. Thus Zdybel and BarCode1, taken alone or in combination, fail to teach or suggest all of the features of amended independent claim 1 and those claims depending directly or indirectly therefrom. As amended independent claims 4 and 9 recite similar features to those of amended independent claim 1, Applicant respectfully submits that Zdybel and BarCode1, taken alone or in combination, also fail to teach or suggest all of the features of amended independent claims 4 and 9 and those claims depending directly or indirectly therefrom. For at least these reasons, Applicant respectfully submits that amended independent claims 1, 4, and 9, and those claims depending directly or indirectly therefrom, patentably distinguish over the prior art and are in condition for allowance.

In the Office Action at pages 7-8, claims 10 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Zdybel in view of BarCode1 and further in view of U.S. Patent No. 5,938,727 to Ikeda. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claims 10 and 12 depend indirectly from amended independent claims 1 and 4, respectively. As discussed above, Zdybel and BarCode1, taken alone or in combination, fail to teach or suggest all of the features of amended independent claims 1 and 4. As Zdybel and BarCode1 fail to teach all of the features of the claims from which claims 10 and 12 depend, Applicant respectfully submits that Zdybel, BarCode1, and Ikeda, taken alone or in combination, fail to teach or suggest all of the features of dependent claims 10 and 12. Accordingly, Applicant respectfully submits that dependent claims 10 and 12 patentably distinguish over the prior art and are in condition for allowance.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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